

REMARKS/ARGUMENTS

The present communication is responsive to the final Official Action mailed December 17, 2004. A petition for a two-month extension of the term for responding to the Official Action, to and including May 17, 2005, is transmitted herewith.

Claim 1 has been amended to recite "a first format processing unit coupled to a first output terminal from among said plurality of output terminals for providing a digital signal in a first data format; a second format processing unit coupled to a second output terminal from among said plurality of output terminals for providing a digital signal in a second data format; [and] one or more switches coupled to said first and second formatting units." In addition, claim 1 has been amended to recite "a control means for controlling said one or more switches and each of said plurality of output terminals such that said digital data is selectively output from said first or second output terminal in said first or second data format according to said predetermined copy control data."

Claim 4 has been amended to recite "converting said digital data to a first or second data format based on said predetermined copy control data; and controlling each of said plurality of outputs such that said converted digital data is selectively output from only a specified one of said plurality of outputs in either said first or second data format according to said predetermined copy control data."

Support for the amendments to claims 1 and 4 may be found by reference to, for example, FIG. 2 and its accompanying description. Applicants, therefore, respectfully submit that the amendments to claims 1 and 4 do not constitute the addition of new matter.

Applicants have also added claims 7 through 12. Claims 7 through 9 depend from claim 1 and recite additional

features disclosed on, for example, page 11 of the specification. Claims 10 through 12 depend from claim 4 and recite additional features disclosed on, for example, page 11 of the specification. Applicants respectfully submit that claims 7 through 12 does not constitute the addition of new matter in the application.

In the Official Action, the Examiner maintained his rejection of April 5, 2004, and rejected the claims under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent 6,256,390 to *Okuyama et al.* ("Okuyama").

Applicants respectfully submit that the Examiner's rejection is now moot in view of the amendments to claims 1 and 4.

Specifically, claim 1, as amended, recites "a control means for controlling said one or more switches and each of said plurality of output terminals such that said digital data is selectively output from said first or second output terminal in said first or second data format according to said predetermined copy control data." Claim 4 recites "controlling each of said plurality of outputs such that said converted digital data is selectively output from only a specified one of said plurality of outputs in either said first or second data format according to said predetermined copy control data." Applicants respectfully submit that *Okuyama* does not disclose either of the foregoing features as claimed.

In particular, *Okuyama* discloses outputting a signal in only one data format, namely IEEE 1394. Indeed, FIGS. 1, 4, 21-24 and 30-31 are shown and described as including only an IEEE 1394 interface for outputting a signal. Therefore, applicants respectfully submit that *Okuyama* does not disclose or suggest "a control means for controlling said one or more switches and each of said plurality of output terminals such that said digital data is selectively output from said first or

second output terminal in said first or second data format," as recited in claim 1. Okuyama likewise does not disclose "controlling each of said plurality of outputs such that said converted digital data is selectively output from only a specified one of said plurality of outputs in either said first or second data format according to said predetermined copy control data," as is recited in claim 4.

In responding to applicants' arguments filed on July 12, 2004, the Examiner continues to insist that *Okuyama* discloses a plurality of output terminals on an apparatus. (Official Action at 2.) In particular, the Examiner asserts that "the plurality of output terminals 110-113 in *Okuyama* are on a single network or on an apparatus as shown in figure 23." (*Id.* (emphasis added).) The Examiner reaches this conclusion even after stating:

Furthermore, *Okuyama* discloses that several devices connected in a network are controlled for copy generation control by a single device (see col. 26, lines 36-38). That is, the receiving devices 110-113 connected in a network via bus 100 are controlled by the sending device STB 101.

(*Id.*)

Okuyama is clear in describing that devices 110-113 are connected on a network via bus 100 to STB 101. (*Okuyama*, col. 27, lns. 14-17; col. 27, lns. 36-39.) As such, each of the devices 110-113 is a separate apparatus on the bus 100. Indeed, "[t]he devices 110-113 are, for example, a television set (TV), a DVC-RAM and an HDD respectively." (*Id.*, lns. 17-19.) *Okuyama* does not suggest that any of the devices 110-113 comprise the same apparatus. Indeed, the Examiner's conclusion is not only contrary to what is disclosed in *Okuyama*, but also to what is generally known in the art. As admitted by the Examiner, *Okuyama* states in discussing FIG. 23, "[i]n this embodiment, several devices connected in a single network are controlled for

copy generation control by a single device using asynchronous data." (*Id.*, col. 26, lns. 36-38.) In that regard, applicants are unable to understand how the Examiner could possibly reasonably conclude that *Okuyama* discloses an apparatus in FIG. 23, when the devices 110-113 are disclosed as being separate devices connected via a network. Moreover, each of the devices, including the set top box 101, is disclosed as having a single output port that connects to the bus 100. Nonetheless, even in the face of such overwhelming evidence, the Examiner reaches the conclusion that *Okuyama* discloses "an apparatus as shown in figure 23."

In responding to applicants' argument that *Okuyama* also does not disclose a control means for controlling a plurality of output terminals, the Examiner asserts that:

Okuyama discloses a control means (via STB 101) for controlling each of the plurality of output terminals (e.g., STB 101 controls copying by asynchronous communication with the receiving devices 110-113) such that the digital data is output from only a specified one of the plurality of output terminals (e.g., a digital broadcasting data is output from a particular receiving device which is selected by the user) according to the predetermined copy control data.

(Official Action at 5.) The Examiner's argument here also fails for the reasons mentioned above. In particular, nowhere does *Okuyama* disclose a device or apparatus having more than one output terminal.

Although applicants respectfully believe that the Examiner's rejection is unsupported by the references cited, applicants have nonetheless further amended claims 1 and 4 to advance prosecution. In particular, claim 1, as amended, now recites that the digital data is "is selectively output from said first or second output terminal in said first or second data format" Claim 4 recites that "said converted digital data is selectively output from only a specified one of

said plurality of outputs in either said first or second data format" Applicants respectfully submit that *Okuyama* neither discloses nor suggests the foregoing feature of claims 1 and 4.

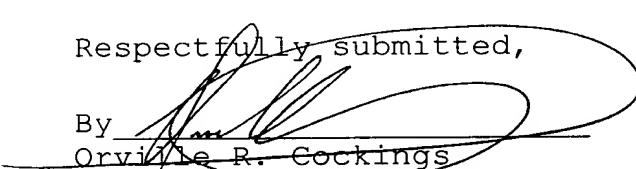
As claims 2-3 and 5-12 depend from either claim 1 or claim 4, applicants respectfully submit that these claims are not disclosed or suggested by *Okuyama* for at least the foregoing reasons.

In view of the above, each of the presently pending claims in this application is believed to be in immediate condition for allowance. Accordingly, the Examiner is respectfully requested to withdraw the outstanding rejection of the claims and to pass this application to issue. If, however, for any reason the Examiner does not believe that such action can be taken at this time, it is respectfully requested that the Examiner telephone applicant's attorney at (908) 654-5000 in order to overcome any additional objections which the Examiner might have.

If there are any additional charges in connection with this requested amendment, the Examiner is authorized to charge Deposit Account No. 12-1095 therefor.

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Respectfully submitted,

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